

Message Text

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ORIGIN XMB-04

INFO OCT-01 AF-06 ISO-00 EB-07 AID-05 CIAE-00 INR-07

NSAE-00 /030 R

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FM SECSTATE WASHDC

TO AMEMBASSY KINSHASA PRIORITY

C O N F I D E N T I A L STATE 050697

FOR AMBASSADOR

E.O. 11652: GDS

TAGS: EFIN, ICON, CG

SUBJ: CIS--INGA-SHABA TRANSMISSION

REF: KINSHASA 1714 ET AL, STATTE 047170

1. TAKING INTO CONSIDERATION THE STATUS OF CONSTRUCTION OF THE INGA/SHABA TRANSMISSION LINE, THE RECOMMENDATION OF YOUR EMBASSY, THE OBVIOUS ADVANTAGES TO BOTH THE GOZ AND CIS IN ALLOWING CIS TO HAVE SUFFICIENT DOLLARS NOT TO BRING CONSTRUCTION TO A COMPLETE STOP AT THIS TIME, AND THE NEED TO PROTECT THE SUBSTANTIAL AMOUNT OF DISBURSEMENTS ALREADY MADE TO SNEL AND THE GOZ BY US, EXIMBANK HAS TOLD FNCB THAT DISBURSEMENTS UNDER THE LOCAL COSTS LOAN BY FNCB AND ITS CONSORTIUM BANKS PURSUANT TO EXISTING DISBURSEMENT REQUESTS AGGREGATING UP TO DOL3,060,000 WILL BE GUARANTEED IN ACCORDANCE WITH THE TERMS OF OUR GUARANTEE AGREEMENT WITH THEM.

2. EXIMBANK TAKES THIS ACTION DESPITE: (A) NON-PAYMENT OF COMMITMENT FEES OF DOL169,183 AND INTEREST OF DOL1,028,607 DUE FEB 10, 1975 TO EXIMBANK FROM SNEL UNDER THE INGA-SHABA LINE CREDIT (EXIMBANK
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CREDIT 4684); (B) NON-PAYMENT OF COMMITMENT FEES OF DOL15,966 DUE AUG 12, 1974 AND DOL15,707 DUE FEB 10, 1975 TO EXIMBANK FROM SNEL UNDER THE INGA II CREDIT (EXIMBANK CREDIT 4539); AND (C) NON-PAYMENT OF AMOUNTS DUE TO FNCB AND OTHER CONSORTIUM BANKS AMOUNTING TO DOL6.3 MILLION UNDER THE FNCB "BALANCE OF PAYMENTS" LOAN AND IN EXCESS OF DOL3 MILLION UNDER THE LOAN TO GOZ FOR ACFT (EXIMBANK GUARANTEED).

3. EACH OF THE FACTS DESCRIBED IN PARA 2 ABOVE CONSTITUTE EVENTS OF DEFAULT UNDER THE APPROPRIATE AGREEMENTS AND CONSTITUTE EVENTS OF DEFAULT UNDER EVER OTHER MATERIAL AGREEMENT INCLUDING THE GOZ, FNCB AND/OR EXIMBANK AS THE RESULT OF CROSS DEFAULT CLAUSES. EXIMBANK AND FNCB HAVE AMPLE LEGAL JUSTIFICATION TO (A) CEASE DISBURSEMENTS UNDER ALL MATERIAL LOANS TO GOZ AND/OR SNEL; (B) DECLARE FORMALLY THE EXISTENCE OF EVENTS OF DEFAULT; AND (C) ACCELERATE THE LOANS AND REQUIRE PAYMENT IN FULL FORTHWITH.

4. FOR THE REASONS STATED IN PARA 1 ABOVE, EXIMBANK HAS CHOSEN FOR THE PRESENT TO PROVIDE THE GOZ WITH SOME TIME TO IMPROVE THE SITUATION RELATING TO FOREIGN CURRENCY. IN DOING SO WE GO AGAINST CERTAIN PAST POLICIES RELATING TO THE POSTURE OF THIS BANK WHEN FACED WITH SERIOUS EVENTS OF DEFAULT, AS HERE. OUR APPROACH IS VERY CAUTIOUS, AND WE MUST CONTINUE TO EVALUATE THE SITUATION ON A WEEK TO WEEK BASIS.

5. EXIMBANK'S POSITION IN THIS MATTER DOES NOT INSURE THAT DISBURSEMENTS WILL BE MADE. IT IS OUR UNDERSTANDING, HOWEVER, THAT FNCB IS RECOMMENDING TO ITS CONSORTIUM BANKS DISBURSEMENT OF THE SUBJ FUNDS ON MAR 20, 1975. CASEY EXIMBANK INGERSOLL

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*** Current Handling Restrictions *** n/a

*** Current Classification *** CONFIDENTIAL

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CONSTRUCTION, ELECTRIC POWER, FINANCIAL CRISIS, FOREIGN INVESTMENT, POWER TRANSMISSION LINES
Control Number: n/a
Copy: SINGLE
Draft Date: 06 MAR 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: ShawDG
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE050697
Document Source: CORE
Document Unique ID: 00
Drafter: DBLOW
Enclosure: n/a
Executive Order: GS
Errors: n/a
Film Number: D750079-0483
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750395/aaaagmt0.tel
Line Count: 102
Locator: TEXT ON MICROFILM, TEXT ON-LINE
Office: ORIGIN XMB
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 75 KINSHASA 1714, 75 STATTE 047170
Review Action: RELEASED, APPROVED
Review Authority: ShawDG
Review Comment: n/a
Review Content Flags:
Review Date: 29 AUG 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <29 AUG 2003 by ShawDG>; APPROVED <17 DEC 2003 by ShawDG>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: <DBA CORRECTED> mcm 971002
Subject: CIS--INGA-SHABA TRANSMISSION
TAGS: EFIN, EINV, ENRG, CG, CIS, INGA SHABA
To: KINSHASA
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006